IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO.433 OF 1990

State of Maharashtra .. Appellant

versus

Chimasaheb Rajaram Bhosale .. Respondents

...

Mr.D.P. Adsule, APP for the State.

Mr.R.S. Ghate for the respondent.

CORAM : V.M. KANADE, J

DATED : 29th October 2004.

ORAL ORDER:-

1. Heard the learned APP appearing on behalf of the State and the learned counsel appearing on behalf of the respondent.

2. The State is challenging judgement and order passed by the trial Court. By the said order, the accused were acquitted of the charge levelled against him under the Prevention of Food & Adulteration Act.

The trial Court has observed that the sanction which was obtained u/s.20 does not disclose that the sanctioning authority has applied its mind to the relevant facts and circumstances of the case before granting sanction. The trial Court therefore, came to the conclusion that the prosecution based on such sanction cannot be sustained. The accused were acquitted by judgement and order dated 22nd March 1990. More than 14 years have passed after the said order. There is no infirmity in the observations made by the trial Court. There is no reason to interfere in the said order.

3. Appeal therefore, is dismissed.

V.M.KANADE, J